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UNCLAS SECTION 01 OF 02 PANAMA 000352

SIPDIS

SENSITIVE

DEPT. FOR WHA/CEN/BRIGHAM

E.O. 12958: N/A

TAGS: [PGOV](#) [PINR](#) [PREL](#) [PM](#) [POLITICS](#) [FOREIGN](#) [POLICY](#)

SUBJECT: PANAMA ELECTION COUNTDOWN #2: 11 WEEKS TO GO

REF: A. 03 PANAMA 2451

[1](#)B. PANAMA 0076

[1](#)C. PANAMA 0298

[1](#)1. Sensitive But Unclassified. Protect Accordingly.

The Race Is On

[1](#)2. (U) Candidates for all 1,754 national and local positions to be contested in Panama's May 2 elections have shifted their efforts into high gear. As political advertising increases in every medium from rolling loudspeakers to internet popup windows, candidates and their representatives are hitting the talkshow circuits and pounding the pavement to win votes. All may proceed full throttle now that the February 7 deadline for objecting to candidacies has passed. Within the next two weeks, the Electoral Tribunal will publish a comprehensive list of candidates in the government's Official Gazette and on their website, <http://www.tribunal-electoral.gob.pa>. The Electoral Tribunal's Spanish-language website also contains useful demographic statistics about Panama's voters, a comprehensive list of electoral regulations, and historical data from previous elections.

Have some "GUIMI" with your "MAMI"

[1](#)3. (U) Noting that several of Former President Guillermo Endara's Solidarity Party candidates served in the Moscoso administration, Martin Torrijos made a tongue-in-cheek assertion on February 9 that Moscoso has entered a silent pact with Endara, using the first syllables of the two's first names to form Guimi (GUI-llermo and MI-reya). This conflating of syllables was intended to counter previous allegations by both Endara and Martinelli that Moscoso and Torrijos had entered into a "Pacto Mami" (MA-rtin and MI-reya) through which they agreed not to air dirty laundry about each other. Torrijos noted that Endara has a comical way of saying things and complained that he deflects public attention by alleging conspiracies between presidential candidates and President Moscoso instead of focusing on what he will do if elected.

He may be corrupt . . .

[1](#)4. (SBU) Controversy about President Moscoso has swirled around her putative legal right to campaign on behalf of specific candidates, addressed in Article 130 of Panama's constitution, which prohibits "direct or indirect official support to candidates for popularly elected positions." The most recent dust-up arose when legislative candidate Carlos "Tito" Afu showed up at the Ministry of Public Works' official inauguration of several new road projects in his electoral circuit. Afu, previously elected as an opposition Revolutionary Democratic Party (PRD) legislator, gained notoriety when he waved a wad of bills in the air on television in January 2001, claiming that it was a payment to vote in favor of the controversial CEMIS project. (See Reftel A). The Supreme Court dismissed the case because ostensibly the Legislative Assembly had not lifted the immunity of the Legislators implicated in the scandal. Afu is now a candidate for the Arnulfista Party in the same electoral Circuit (7-1, Las Tablas), and President Moscoso was pilloried in the press this week for campaigning on his behalf.

. . . But he's my candidate

[1](#)5. (SBU) Responding to front-page newspaper images of Moscoso dancing with Afu during the official event, the Electoral Magistrates requested that the Electoral Prosecutor investigate Moscoso. Electoral Prosecutor Gerardo Solis responded that only the Legislative Assembly may investigate

the President, but implied that he might investigate Minister of Public Works Eduardo Quiros, also present at the event. Legislative Assembly President, Arnulfista Jacobo Salas, stated on February 12 that the Assembly had no intention of investigating the President. Moscoso lashed out at La Prensa, which published the initial report, claiming that journalists are using the power of the pen to support opposition PRD candidate Martin Torrijos.

16. (SBU) Opposition candidates were outspoken in their distaste for Moscoso's actions. Cambio Democratico Candidate Ricardo Martinelli stated that Moscoso should be doing the job for which Panamanians elected her -- running the government -- not campaigning for her friends. PRD Vice Presidential candidate Ruben Arosemena said that it is obvious Moscoso is campaigning on behalf of her favorite candidates, but did not call for an investigation. Solidaridad Presidential Candidate Endara was the most colorful critic, asserting that he would never have supported Moscoso's presidential candidacy if he knew she were such "an ignoramus" when it came to electoral regulations. Arnulfista candidate Aleman denied Moscoso had done anything wrong. (NOTE: According to Aleman supporters, Moscoso's arrogance is hurting his campaign, but he has not been able to break free of her. END NOTE)

97,000 Support Constituent Assembly

17. (U) On February 11, Panama's Ecumenical Council submitted to President Moscoso a petition in favor of convoking a constituent assembly with 97,000 signatures. Moscoso responded on February 12 that she had taken the signatories' interest into account, but does not consider it prudent to convoke a constituent assembly in the middle of an electoral campaign. Therefore, she continued, it will be necessary for the next administration to address constitutional reform. Given her declarations, prospects for a fifth ballot being included in the May 2 elections have slipped even further away (Reftel B). (NOTE: Of 1,204 Panamanians who responded to a December 2003 CID Gallup public opinion poll, 75% didn't even know what a Constituent Assembly was. END NOTE)

Comment: Pushing the envelope within limits

18. (SBU) Since her decision to openly support then pre-candidate Jose Miguel Aleman before the party's nominating convention, much to the dismay of the other two pre-candidates, Moscoso has pushed the ethical envelope in campaigning, claiming that she is exercising her rights as President of the Arnulfista Party rather than abusing her authority as President of Panama. Clearly, Moscoso's position changed since she requested in March 1999 that then President Ernesto Perez Balladares "honor his word not to favor any candidate," (words that were reprinted in this week's newspapers). Most observers agree that Moscoso has crossed an ethical line by making partisan statements and attending campaign events that favor Aleman, but disagree whether she has violated the constitution, the law, or the electoral code. The fact that Electoral Prosecutor Gerardo Solis, a Perez Balladares appointee, didn't seize the opportunity to investigate Moscoso shows his penchant to act independently despite old PRD affiliations. All are healthy indications that Panama's election controversies will be contained within the appropriate institutional channels. While the campaign rhetoric is bound to heat up in coming weeks, prospects for violent disputes over Panama's elections remain low.

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